DETAILED ACTION

1. This office action is in response to communication filed on 2/25/2010.

2. Claims 14-19, 22-23, 73-76, 77-79 and 83-84 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 14-17, 22-23, 73-79 and 83-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen (6,060,993 hereinafter Cohen).

With respect to claims 73-74,76,77, 83, 84 Cohen teaches a method of providing video or still image advertisements at selected locations on a network of multiple display screen that are located in traffic areas (Abstract).

Providing at least one advertising customer the opportunity to select at least one particular display screen via an advertising customer interface, wherein each particular display screen is positioned at a respective particular location (i.e. the advertisers designates the display 14 location where it wants to advertise)(col.4, lines 64- to col. 5, lines 1-3);

Providing the at least one advertising customers the opportunity to order display of advertising content at display screen locations selected by the advertising customers

(i.e. advertiser 28 chooses the advertisers content to display at various locations specified by the individual advertisers) (col. 4, lines 64 to col. 5, lines 1-3) ;

Receiving an order from the advertising customer, wherein the order comprises a selection of the at least one display screen (i.e. based on the advertisers profiles/ preferences, the advertisers are billed for the display screen destination, message content and scheduling information)(col. 5, lines 24-36);

receiving advertising content from the advertising customers (i.e. receiving advertisers profiles and customer preferences based on the location and weather)(col. 4, lines 64 to col. 5, lines 1-3 and col. 5, lines 24-28);

transmitting advertising content received from the advertising customers to the selected display screen locations (see display 14);

driving the at least one selected display screen to display the transmitted advertising content in accordance with the advertising customers' orders (see Figure 1; col. lines 37-46).

With respect to the advertising customer electronically ordering the display via an electronic communication link. Cohen teaches on col. 2, lines 58-61 and col. 4, lines 64 to col. 5, lines 1-3 and col. 5, lines 24-27 advertisers profiles, the advertisers choosing where and under what weather conditions (i.e. scheduling) to display the advertisements. Cohen is silent as to the means used by the advertisers to order and schedule the display. Official Notice is taken that it is old and well known at the time of Applicant's invention to electronically by means of a website and the like to order advertisements from a content provider. It would have been obvious to a person of

ordinary skill in the art at the time of Applicant's invention to have included in the system of Cohen electronically means for ordering because such a modification would provide the convenience of ordering using such known methods as the Internet.

With respect to claim 75, Cohen further teaches generating a bill in accordance with the order (col. 5, lines 14-23).

With respect to claim 78, Cohen further teaches sending the advertising content to the selected display screens using wireless communications (col. 3, lines 39-43).

With respect to claims 79, and 83-84, Cohen further recites any of a variety of known electronic driven changeable displays, including LED, liquid crystal displays (col. 3, lines 64 to col. 4, lines 1-3).

Claim 14 further recites converting a format of the advertising content into a single format for display. Official Notice is taken that

With respect to claims 15-17, the claims further recite reviewing the content prior to display for appropriateness. Official Notice is taken that it is old and well known to check content prior to displaying to the public. For example, transcripts, manuscripts and the like are reviewed before they are televised/presented to the public. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's

invention to have included reviewing the content prior to display for appropriateness to make sure the content is correct.

Claims 22-23 further recite detecting defective pixels on the display and automatically calibrating the defective pixels. Official notice is taken that it is old and well known in the imaging arts to detect and automatically calibrate the defective pixels in order to improve the image.

5. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen in view of Cragun (5,504,675 hereinafter Cragun).

Claims 18-19 further recite detecting customer traffic near the selected display locations and generating market analysis report from the detection of traffic. Cragun teaches collecting data pertaining to the proximity of persons around a presentation unit display and using the collected data to further run sales promotion programs (Abstract). It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included detecting customer traffic near the selected display locations and generating market analysis report from the detection of traffic in order to obtain the above mentioned advantage.

Response to Arguments

6. Applicant argues that Cohen doesn't teach the advertising customer being provided the opportunity to select at least one particular display screen. The Examiner respectfully disagrees with Applicant because Cohen clearly teaches the "**specific advertisements are displayed when and where the advertiser chooses**"(In Cohen col. 2, lines 48-51). The advertisers designate the location of where it wishes to advertise and based on the vehicle's location and the advertiser's profile/preference the advertisements are displayed (col. 4, lines 64 to col. 5, lines 1-3 and col. 5, lines 24-28). By the advertisers selecting a specific location of where to place the ads in essence, the advertisers are choosing the display screen of where place the ads. Therefore contrary to Applicant's arguments, Cohen doesn't teach away from Applicant's invention.

7. Applicant argues that Cohen doesn't teach the advertiser selecting a specific display screen. The Examiner disagrees with Applicant because in Cohen the advertisers choosing **when** and **where** and **scheduling** the content of the advertisements the system of Cohen takes into account the travel routes of the mobile vehicles and based if say the advertisers chooses to advertise in the Washington, DC area (i.e. mobile screen located at Washington DC is chosen by the advertisers) during a particular day that he or she chooses to display his ads.

8. In addition, Applicant argues that the office did not take Official Notice regarding use of an electronic communication link to receive advertising content. The Examiner wants to point out that the combination of Cohen and Official Notice combined teaches the claimed invention. Cohen teaches receiving advertising content from the

advertisers of what messages to display col. 4, lines 64 to col. 5, lines 1-3. Cohen doesn't specifically teach receiving the content via a communication link and the Examiner had taken Official Notice at the bottom of page 3 of the rejection that it is old and well known at the time of Applicant's invention to electronically by means of a website and the like to order advertisements from a content provider and therefore should be argued accordingly.

9. With respect to Applicant's arguments pertaining to claims 22-23, Applicant is arguing the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

10. Applicant argues that the Examiner hasn't addresses the limitations of claims 16-17 pertaining to verifying the display of the content and capturing the image and time data of the display of the content. The Official Notice taken was that verifying the content is well known before capturing the image and time of the display in order to check for correctness before the image is displayed to the public (see pages 4-5 of rejection above)

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Point of contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raquel Alvarez whose telephone number is (571)272-6715. The examiner can normally be reached on 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda Jasmin can be reached on (571)272-6782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Raquel Alvarez/
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R.A.
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